

REMARKS

In the Office Action, the Examiner rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Boyd (U.S. Pat. Pub. No. 2003/0069795) in view of Wang Ho (U.S. Pat. Pub. No. 2003/0093229). Applicants respectfully traverse the rejections in the Office Action.

By this amendment, Applicants have amended claim 6 and added new claims 9-11. Claims 6 and 9-11 are pending in the application. Applicants respectfully submit that the pending claims are in condition for allowance and request reconsideration and reexamination of this application.

AMENDMENTS TO THE CLAIMS

Claim 6

Amended claim 6 recites a medicine prototype support system comprising a database, information conversion means, composition ingredient determination means, and communication means. Claim 6 requires that the database comprise "confidential first main ingredient information and corresponding second main ingredient information, the confidential main ingredient information being confidential information of the product manufacturer." Exemplary support for these recitations may be found in the specification, for example, at page 24, lines 5-19, page 26, line 21- page 27, line 10, and page 28, line 26-page 29, line 11.

The information conversion means recited in claim 6 selects a second main ingredient "by comparing properties of the confidential main ingredient stored in the database with properties of a plurality of potential second main ingredients stored in the

database.” The specification supports this recitation, for example, at page 29, lines 5-22.

Claim 6 further requires composition ingredient determination means for “selecting a composition ingredient based on the properties of the first and second main ingredients.” Exemplary support for the composition ingredient determination means exists at page 26, line 27-page 27, line 10 of the specification.

The communication means of claim 6 receive confidential first main ingredient information from a product manufacturer and transmit selected second main ingredient information and composition ingredient information to a composition manufacturer system. The specification provides examples of communication means at page 24, lines 1-7.

Finally, claim 6 requires that “the medicine prototype support system does not reveal the identity of the confidential first main ingredient to the composition manufacturer system.” The specification supports this recitation, for example, at page 28, line 24 - page 29, line 5.

Claim 9

By this amendment, Applicants have added new claim 9. Claim 9 recites a “medicine prototype support system for an ingredient manufacturer developing medical product at a request of a product manufacturer.”

The medicine prototype support system of claim 9 comprises “a database including first main ingredient information and second main ingredient information;” “information conversion software that selects a second main ingredient by comparing properties of the confidential main ingredient stored in the database with properties of a

plurality of potential second main ingredients stored in the database;" and "composition ingredient determination software that selects a composition ingredient based on the properties of the first and second main ingredients." The specification supports these recitations, for example at page 24, lines 5-19 and page 26, line 21-page 27, line 10.

Claim 9 further requires "a server for transmitting second main ingredient information and composition ingredient information to a composition manufacturer system." Exemplary support for the claimed server exists, for example, at page 24, lines 1-7.

Finally, claim 9 recites that "the first main ingredient information is confidential information of the product manufacturer, the second main ingredient information is non-confidential, and the medicine prototype support system does not reveal the identity of the confidential first main ingredient to the composition manufacturer system." The specification at page 28, line 24-page 29, line 11 supports these recitations.

Claims 10-12

New claim 10 recites a "method of requesting prototype manufacture from a composition manufacturer" including "receiving a request from a product manufacturer, the request including main ingredient information that is confidential information of the product manufacturer" and "storing the confidential first main ingredient information." Support for these steps of the claimed method may be found, for example, at page 26, line 21-page 27, line 10. The confidential nature of the first main ingredient is described, for example, at page 28, line 26-page 29 line 11 of the specification and in the claims as originally filed.

The method recited in claim 10 further involves “selecting a second main ingredient by comparing the properties of the confidential main ingredient with the properties of a plurality of potential second main ingredients.” The specification provides exemplary support for these requirements at page 29, lines 5-22.

Claim 10 also requires the step of “determining a composition ingredient based on the confidential main ingredient information and second main ingredient information” and “transmitting a request for prototype manufacture to the composition manufacturer, the request for prototype manufacture including the identities of the selected second main ingredient and the selected composition ingredient.” The specification supports these recitations, for example, at page 27, line 9-10 and at page 28, lines 14-26.

Finally, claim 10 requires “maintaining the confidentiality of the first main ingredient information by not transmitting it to the composition manufacturer.” Support for this recitation exists, for example, at page 28, line 24-page 29, line 11.

New claim 11, which depends from claim 10, further requires the step of “transmitting a second request for prototype manufacture to a second composition manufacturer.” The specification supports this new claim, for example, at page 29, line 23 - page 30, line 14.

New claim 12 also depends from claim 10. Claim 12 recites the method of claim 10, “wherein the confidential main ingredient information received from the product manufacturer includes the identity of the main ingredient.” The specification supports this recitation, for example, at page 25, lines 26-27.

Figure 4 and the claims as originally filed provide further exemplary support for the amendments and new claims.

REJECTION OF CLAIM 6 UNDER 35 U.S.C. § 103

The applied references fail to teach or suggest all elements of the claimed invention. Specifically, Boyd and Wang Ho fail to teach or suggest a “database comprising confidential main ingredient information and corresponding second main ingredient information, the first confidential main ingredient information being confidential information of the product manufacturer” or “information conversion means for selecting a second main ingredient by comparing properties of the confidential main ingredient stored in the database with properties of a plurality of potential second main ingredients stored in the database,” as recited in claim 6. The Office Action relies on the “fingerprinting” method described in Boyd to suggest information conversion means.

According to Boyd, using the fingerprinting method, “a variety of material properties desired by the product manufacturer are compared to a variety of measurements from the raw material supplier 20 to allow the product manufacturer to determine if the fit is close enough for use in the manufacturing process.” (Boyd at ¶ 0026.) Accordingly, “[s]everal potential raw materials 22 from one or more raw material suppliers 20 can be evaluated and the one with a ‘fingerprint’ best matching the desired material can be selected and automatically ordered.” (Boyd at ¶ 0027.) Boyd, therefore, teaches the determination of an unknown raw material from a series of known material properties.

This disclosure, however, does not teach or suggest maintaining a database of confidential main ingredient information and corresponding second main ingredient information. Nothing in Boyd suggests selecting a second main ingredient by comparing properties of a known, confidential main ingredient with properties of a plurality of potential second main ingredients. Boyd does not suggest the use of

“fingerprinting” to maintain the confidentiality of raw materials during prototyping. Indeed, Boyd does not suggest that a product manufacturer might want to keep the identity of one or more ingredients confidential relative to a composition manufacturer. Instead, Boyd teaches the determination of an unknown raw material from a series of known material properties. (See, for example, Boyd at ¶ 0026.)

Wang Ho does not cure the above-described deficiencies of Boyd. Wang Ho describes software adapted to generate component databases including various chemical properties of potential raw materials. Wang Ho does not, however, suggest the use of such a database to store confidential first main ingredient information and non-confidential second main ingredient information or information conversion means “for selecting a second main ingredient by comparing properties of the confidential main ingredient stored in the database with properties of a plurality of potential second main ingredients stored in the database.”

Claim 6 further requires that “the medicine prototype support system does not reveal the identity of the confidential first main ingredient to the composition manufacturer system.” Neither Boyd nor Wang Ho teach or suggest this feature of the claimed medicine prototype support system.

Accordingly, taken alone or in combination, Boyd and Wang Ho fail to teach all elements of the invention recited in claim 6. Claim 6 is allowable over the cited references for at least these reasons.

CLAIM 9 IS ALLOWABLE OVER THE APPLIED REFERENCES

Claim 9 recites “a database including first main ingredient information and second main ingredient information” and information conversion software that selects a

second main ingredient by comparing properties of the first main ingredient stored in the database with properties of a plurality of potential second main ingredients stored in the database,” wherein “the first main ingredient information is confidential information of the product manufacturer, the second main ingredient information is non-confidential, and the medicine prototype support system does not reveal the identity of the confidential first main ingredient to the composition manufacturer system.” As discussed above, Boyd and Wang Ho, taken alone or in combination, fail to teach or suggest a database including confidential first main ingredient information and non-confidential second ingredient information. Boyd and Wang Ho also do not suggest using software to convert from confidential main ingredient information to non-confidential main ingredient information. Finally, Boyd and Wang Ho also fail to teach or suggest a medicine prototype support system that does not reveal the identity of a confidential main ingredient to a composition manufacturer. Claim 9 is allowable over the cited references for at least these reasons.

CLAIMS 10-12 ARE ALLOWABLE OVER THE APPLIED REFERENCES

Claim 10 recites a “method of requesting prototype manufacture from a composition manufacturer,” including “receiving a request from a product manufacturer, the request including main ingredient information that is confidential information of the product manufacturer” and “selecting a second main ingredient by comparing the properties of the confidential main ingredient with the properties of a plurality of potential second main ingredients.” The method of claim 10 also requires “maintaining the confidentiality of the first main ingredient information by not transmitting it to the

composition manufacturer.” Boyd and Wang Ho, taken alone or together, fail to teach or suggest these elements of claim 10.

Boyd teaches the determination of an unknown raw material from a series of desired material properties. (See, for example, Boyd at ¶ 0026.) It does not, however, suggest maintaining the confidentiality of the identity of a first main ingredient by selecting a second main ingredient by comparing the properties of the two ingredients. Boyd also fails to teach the step of maintaining the confidentiality of the first main ingredient information by not transmitting it to the composition manufacturer. As discussed above, Wang Ho fails to cure these deficiencies of Boyd.

For at least these reasons, Boyd and Wang Ho fail to teach or suggest at least these elements of claim 10 and claim 10 is allowable over the applied references. Claims 11-12 are allowable at least due to their dependence from claim 10.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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